

ORIGINAL

FILED

July 22 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0311

STATE OF MONTANA,

Plaintiff and Appellee,

v.

CARL MELVIN ANKENY,

Defendant and Appellant.

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

COMES NOW, Kelli S. Sather, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until September 5, 2009, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 22nd day of July, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
301 South Park, Room 568
P.O. Box 200145
Helena, MT 59620-0145

By: *K. Sather*
KELLI S. SATHER
Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: July 22, 2009 Sarah L. Braden